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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,831	07/31/2000	Michael K. Hargens	1320	5162

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EXAMINER

BOUTAH, ALINA A

ART UNIT PAPER NUMBER

2143

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,831

Applicant(s)

HARGENS ET AL.

Examiner

Alina N Boutah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 100-110 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 100-110 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

This action is in response to the amendment received January 11, 2005. Claims 1-2, 4-6, 8-15, 17-19, 21-28, 30-32, 34-40, 42, 44-50, 52, 54-60, 62 and 64-69 have been cancelled. Claims 100-110 have been newly added and are pending in the present application.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 11, 2005 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 100 and 110 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification

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fails to disclose the communications to and from first and second "web-sites" as claimed. It would require undue experimentation for one of ordinary skill in the networking art at the time the invention was made to determine the details of "web-sites."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 100-110 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,185,545 issued to Resnick et al (hereinafter Resnick) in view of USPAP 2002/0046255 issued to Moore et al. (hereinafter referred to as Moore).

Regarding claim 100, a method of providing communication accounts to end-users from a plurality of web sites, the method comprising:

in a first one of the web-sites, interacting with a first one of the end-users over the internet, and in response, transferring a first communication account request over the internet to an account server (figures 3 and 8; col. 6, lines 5-16, 37-40, 58-62);

in the account server, validating the first website in response to receiving the first communication account request, selecting a first account code for the first end-user in response to validating the first web site, and transferring the first account code over the internet to the first web site (figures 3 and 8; col. 6, lines 5-16, 37-40, 58-62; col. 7, lines 27-39);

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in the first web-site, transferring the first account code over the internet to the first end-user wherein the first end user uses the first account code to obtain a first communication service from a communication service provider (figures 3 and 8; col. 6, lines 5-16, 37-40, 58-62; col. 7, lines 27-39).

However, Resnick fails to explicitly teach providing communication accounts to end-users from multiple web sites.

The Resnick-Moore combination teaches providing communication accounts to end-user from multiple web sites (Moore: figure 1, 0005, 0027, 0029). At the time the invention was made, one of ordinary skill in the art would have been motivated to teach providing communication accounts to end-users from multiple web sites in order to allow multiple users to access different web sites, thus maximizing the communication service capability.

Regarding claim 101, Resnick teaches the method of claim 100 wherein the communication service comprises a prepaid communication service (col. 1, lines 45-64).

Regarding claim 102, Resnick teaches the method of claim 100 wherein the communication service is a wireless communication service (col. 1, lines 45-64).

Regarding claim 103, Resnick teaches the method of claim 100 wherein the communication service comprises an internet access service (figure 8).

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Regarding claim 104, Resnick teaches the method of claim 100 wherein the first account code comprises a personal identification number (PIN) (col.5, lines 4-13).

Regarding claim 105, Resnick teaches the method of claim 100 wherein the first account code comprises a password (col.5, lines 4-13).

Regarding claim 106, the Resnick-Moore combination teaches the method of claim 100 wherein the first communication account request identifies the first end-user and the second communication account request identifies the second end-user (Resnick: figure 8, Moor: 0005).

Regarding claim 107, the Resnick-Moore combination teaches the method of claim 100 wherein the first communication account request identifies a first monetary amount and the second communication account request identifies a second monetary amount (Resnick: col. 9, line 55; Moore: 0046).

Regarding claim 108, the Resnick-Moore combination teaches the method of claim 100 further comprising, in the account server, selecting a first monetary amount for the first account code and selecting a second monetary amount for the second account code (Resnick: col. 9, line 55; Moore: 0046).

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Regarding claim 109, the Resnick-Moore teaches the method of claim 100 further comprising, in the account server, selecting a first time amount for the first account code and selecting time amount for the second account code (Resnick: col. 9, line 55; Moore: 0046).

Claim 110 is similar to claim 100 therefore is rejected under the same rationale.

Conclusion

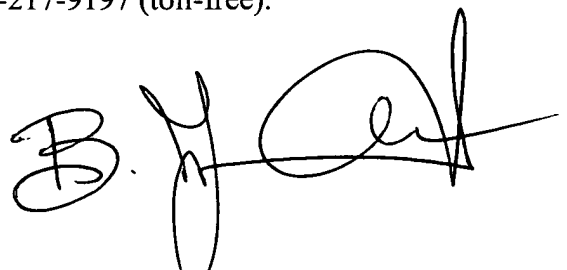
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANB



BUNJOS JAROENCHONWANT
PRIMARY EXAMINER